

JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

FILED

2008 JUL 24 A 9:06

E-FILING

RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JW  
PVT

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN TORRES-MARTINEZ,

Defendant.

CR - 08 00488

VIOLATION: 8 U.S.C. § 1326 –  
Illegal Re-Entry Following Deportation

SAN JOSE VENUE

INFORMATION

The United States charges:

On or about June 23, 2008, the defendant

MARTIN TORRES-MARTINEZ,

an alien, previously having been arrested and deported from the United States on or about July 14, 1998 and November 2, 1998, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a re-application by the defendant for admission into the United States, in

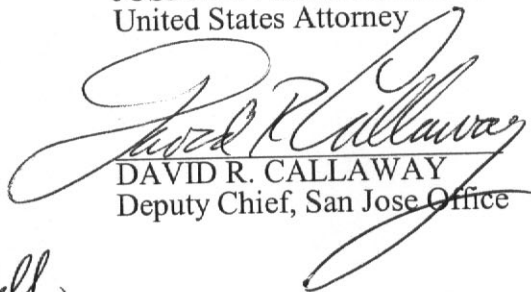
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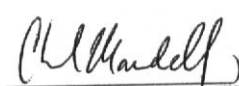
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violation of Title 8, United States Code, Section 1326.

DATED: July 23, 2008

JOSEPH P. RUSSONIELLO  
United States Attorney

  
DAVID R. CALLAWAY  
Deputy Chief, San Jose Office

(Approved as to form: )

SAUSA MANDELL

AO 257 (Rev. 6/78)

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☒ INFORMATION☐ INDICTMENT  
☐ SUPERSEDINGName of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA

## OFFENSE CHARGED

Title 8, U.S.C. § 1326 - Illegal  
Re-Entry Following Deportation

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ORIGINAL FILED  
RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
Petty  
Minor  
Misdemeanor  
Felony

DEFENDANT - U.S.

MARTIN TORRES-MARTINEZ

DISTRICT COURT NUMBER

E-FILING

## PENALTY:

20 years imprisonment  
\$250,000 fine  
3 years supervised release  
\$100 special assessment fee

CR - 08 00488

DEFENDANT

JW

PVT

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

ICE

☐ person is awaiting trial in another Federal or State  
Court, give name of court☐ this person/proceeding is transferred from another  
district per (circle one) FRCrP 20, 21 or 40. Show  
District☐ this is a reprosecution of  
charges previously dismissed  
which were dismissed on  
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a  
pending case involving this same  
defendant☐ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.

5-08-70409-HRL

Name and Office of Person  
Furnishing Information on  
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

CHAD MANDELL

## IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding.  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution
- ☐ Fed'l ☐ State

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed

Month/Day/Year

DATE OF  
ARREST

Or... if Arresting Agency &amp; Warrant were not

Month/Day/Year

DATE TRANSFERRED  
TO U.S. CUSTODY☐ This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

## PROCESS:

☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons  
or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_